

THE OFFICE ACTION

In the Office Action issued on October 2, 2003, the Examiner rejected claims 1-7 under 35 U.S.C. §112, second paragraph, as being indefinite. The Examiner also rejected claims 1-7 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,614,546 to Kuruzasa ("Kuruzasa").

INTERVIEW SUMMARY

In a telephonic interview conducted on February 2, 2004 between the Applicants' named representative below and Examiners Kimberly Williams and Negus Worku, the parties discussed the rejections and the prior art. The Examiners indicated that after a review of a draft of this amendment and remarks, that they both believed the Applicants' remarks were persuasive and that all pending claims were patentably distinguishable over the cited art of record (i.e. Kuruzasa). The Examiners also indicated that the proposed amendment to claim 1 overcame the §112 rejection.

REMARKS

Applicants have carefully considered the final Office Action issued on October 2, 2003. Applicants respectfully request reconsideration of the application in light of the above amendments and the following comments.

A. Claims 1-7 Comply with 35 U.S.C. §112

The Examiner rejected claims 1-7 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, it is the Examiner's opinion that the phrase "a partial print provider that permits a proprietary spooler to interface with a commercial print spooler for further processing of a print job submitted to a network print server" is not defined and fails to sufficiently and distinctly claim the subject matter of the invention.

Applicants are unsure exactly what recitation in the above phrase is objectionable to the Examiner. Nevertheless, in an attempt to respond to the Examiner's rejections, applicants have amended claim 1 and relevant dependent

claims by replacing the phrase "proprietary print spooler" with "first print spooler" and the phrase "commercial print spooler" with the term "second print spooler". Applicants assume these are the terms that are objectionable to the Examiner, but request clarification if this is not the case.

More generally, Applicants submit that the partial print provider as claimed is sufficiently defined and particularly pointed out in the specification to satisfy §112. In this respect, the Examiner is directed to page 9, lines 2-7, which defines the invention by stating "a mechanism is required that allows this proprietary print spooler to be integrated into the NT printing architecture. The print provider of the present invention allows this in the following way. The present invention provides a means for a print job to bypass most of the NT print spooler components and instead be forwarded to a proprietary spooler for processing." The specification then goes on to discuss how the print provider of the present invention is integrated into the print processing architecture. In one embodiment, "[t]he partial print provider is a DLL [dynamically linked library] that serves as a gateway between the NT spooler process and a proprietary spooler." Page 9, lines 21-23. Thus, Applicants submit that the noted recitation is sufficiently defined and particularly pointed out in the application.

B. The Pending Claims Are Not Anticipated by Kurozasa

The Examiner rejected claims 1-7 under 35 U.S.C. §102(e) as being anticipated by Kurozasa. Applicants respectfully traverse.

Kurozasa is directed to an image processing system in which, prior to a printer starting to print in accordance with a print request from a printer driver, set items for the print job can be changed without changing the position of the print job in the printing order.

In support of the rejection, the Examiner states "Kurozasa discloses a partial print provider (copy machine as shown in fig. 1-3) that permits a proprietary print spooler (interface IU of fig 3) to interface with a commercial print spooler (PRT image printer of fig 3) for further processing of a print job submitted to a network print server (printer server PS of fig 3, which is connected to the network NW of fig 3)." (office action, pg. 3). Applicants are somewhat confused by this statement. In this

respect, applicants respectfully submit that the copy machine of figs. 1-3 is NOT a partial print provider as that term is used in the present application. That is, the copy machine does not function to allow a first print spooler to interface with a second print spooler. Rather, the function of the copy machine is simply to "print-output image information received from the client computers CC1 to CC4 via the printer server PS." (column 3, lines 61-63).

The print job in Kurozasa is initiated by a user in a document forming application program, which then instructs the print driver to start printing, which in turn informs the print server PS of the print mode. (col. 7, lines 16-25). The image data is rasterized and spooled to the hard disk of the printer server PS. (col. 7, lines 55-57; image spool 119 of fig. 5). While the print mode may be changed by the operation panel OP during a print-start standby period (col. 8, lines 40-52), there is no second spooler for the first spooler to interface with. The interface unit IU of fig. 3 that the Examiner mentions is not an interface between a first and second spooler, but rather simply an electronic interface (e.g. a cable) connecting the printer server PS with the digital copying machine. (col. 5, lines 34-37).

Thus, not only is there no partial print provider in Kurozasa, there is also no second spooler for the first print spooler to interface with. That is, there is no passing along of the print jobs to a second spooler in Kurozasa. Thus, Kurozasa fails to disclose or suggest the present claims.

Further, and with respect to claim 2, Kurozasa fails to disclose wherein the print server operates using Windows NT software and wherein the second spooler is a Windows NT spooler. Despite the Examiner's assertion to the contrary, there is no indication that Kurozasa implements Windows NT software or hardware.

With respect to claim 3, and as described above, the interface (IU of fig. 3) is not a functional software interface between two print spoolers, but rather simply an means to electronically connect the print server PS with the copying machine (col. 5, lines 34-37). There is simply no disclosure in Kurozasa relating to a software interface between a first and second spooler that permits the first spooler to leverage off the second spooler's print services, protocols and network technology.

With respect to claims 4-6, Kurozasa's failure to disclose any print provider necessarily means that it fails to disclose a print provider with the functions

recited in these claims. None of these claimed functions are disclose or suggested in Kurozasa, as peformed by a partial print provider or otherwise.

CONCLUSION

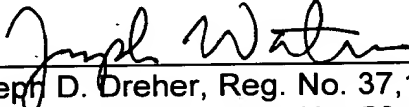
In view of the foregoing amendments and comments, Applicants submit that claims 1-7 are in condition for allowance. Applicants respectfully request early notification of such allowance. Should any issues remain unresolved, the Examiner is encouraged to contact the undersigned to attempt to resolve any such issues.

If any fee is due in conjunction with the filing of this response, Applicants authorize deduction of that fee from Deposit Account 06-0308.

Respectfully submitted,

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